

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

KONINKLIJKE KPN N.V.

v.

**TELEFONAKTIEBOLAGET LM
ERICSSON and ERICSSON INC.**

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CIVIL ACTION NO. 2:21-CV-00113-JRG

**MINUTES FOR JURY TRIAL DAY NO. 3
HELD BEFORE U. S. DISTRICT JUDGE RODNEY GILSTRAP
August 24, 2022**

OPEN: 08:26 AM

ADJOURN: 06:19 PM

ATTORNEYS FOR PLAINTIFF: See attached

ATTORNEYS FOR DEFENDANTS: See attached

LAW CLERKS: Cody Carter
Katie Albanese
Ryan Davies

COURT REPORTER: Shawn McRoberts, RMR, CRR

COURTROOM DEPUTY: Andrea Brunson, CP

TIME	MINUTE ENTRY
08:26 AM	Court opened.
08:26 AM	Exhibits used prior day read into the record.
08:28 AM	Objection raised by Mr. Ward on behalf of Plaintiff.
08:30 AM	Court made rulings as set forth in the record.
08:30 AM	Jury entered the courtroom.
08:31 AM	Cross (direct) examination of Mr. Patricio Delgado by Mr. Mathews. (Mr. Delgado [Defendants' corporate rep] is presented as Plaintiff's adverse witness.)
08:50 AM	Bench conference.
08:52 AM	Bench conference concluded.
08:52 AM	Continuation cross (direct) examination of Mr. Patricio Delgado by Mr. Mathews.
08:58 AM	Bench conference.
08:58 AM	Bench conference concluded.
08:59 AM	Redirect examination of Mr. Patricio Delgado (adverse witness) by Mr. Ward.
09:00 AM	Bench conference.
09:00 AM	Bench conference concluded.

TIME	MINUTE ENTRY
09:00 AM	Continuation redirect examination of Mr. Patricio Delgado (adverse witness) by Mr. Ward.
09:11 AM	Recross (direct) examination of Mr. Patricio Delgado by Mr. Mathews.
09:11 AM	Completion of testimony of Mr. Patricio Delgado.
09:12 AM	Plaintiff rested its case-in-chief.
09:12 AM	Defendants proceeded with its case-in-chief.
09:12 AM	Witness sworn. Direct examination Mr. Jacobus Du Plooy by Mr. Stevenson.
09:36 AM	Courtroom sealed.
09:37 AM	Continuation direct examination Mr. Jacobus Du Plooy by Mr. Stevenson.
09:43 AM	Courtroom unsealed.
09:43 AM	Continuation direct examination Mr. Jacobus Du Plooy by Mr. Stevenson.
09:51 AM	Cross examination of Mr. Jacobus Du Plooy by Ms. White.
10:28 AM	Redirect examination Mr. Jacobus Du Plooy by Mr. Stevenson.
10:45 AM	Recross examination of Mr. Jacobus Du Plooy by Ms. White.
10:47 AM	Completion of testimony of Mr. Jacobus Du Plooy. Witness excused.
10:48 AM	Jury recessed for break.
10:49 AM	Recess.
11:08 AM	Court reconvened.
11:08 AM	Jury returned to courtroom.
11:09 AM	Witness sworn. Direct examination of Mr. Jeffrey Diamond by Mr. Baxter.
11:25 AM	Bench conference.
11:29 AM	Bench conference concluded.
11:29 AM	Continuation direct examination of Mr. Jeffrey Diamond by Mr. Baxter.
11:48 AM	Cross examination of Mr. Jeffrey Diamond by Ms. White.
12:07 PM	Completion of testimony of Mr. Jeffrey Diamond. Witness excused.
12:07 PM	Jury recessed for lunch.
12:07 PM	Court provided instruction and clarification re: testimony of next witness, Dr. Stephen Wicker.
12:11 PM	Recess.
01:06 PM	Court reconvened.
01:08 PM	Jury returned to courtroom.
01:09 PM	Witness sworn.
01:09 PM	Court provided explanation to Jury re: testimony of Dr. Stephen Wicker.
01:11 PM	Direct examination of Dr. Stephen Wicker by Mr. Kubehl.
01:15 PM	Bench conference.
01:16 PM	Bench conference concluded.
01:16 PM	Continuation direct examination of Dr. Stephen Wicker by Mr. Kubehl.
01:39 PM	Bench conference.
01:40 PM	Bench conference concluded.
01:40 PM	Continuation direct examination of Dr. Stephen Wicker by Mr. Kubehl.
01:49 PM	Courtroom sealed.
01:50 PM	Continuation direct examination of Dr. Stephen Wicker by Mr. Kubehl.
01:52 PM	Courtroom unsealed.
01:52 PM	Continuation direct examination of Dr. Stephen Wicker by Mr. Kubehl.
03:02 PM	Courtroom sealed.

TIME	MINUTE ENTRY
03:02 PM	Continuation direct examination of Dr. Stephen Wicker by Mr. Kubehl.
03:03 PM	Courtroom unsealed.
03:04 PM	Continuation direct examination of Dr. Stephen Wicker by Mr. Kubehl.
03:11 PM	Jury recessed for break.
03:12 PM	Recess.
03:32 PM	Court reconvened.
03:33 PM	On behalf of Plaintiff, Ms. Lusztig brought an issue to the attention of the Court.
03:35 PM	Response provided by Mr. Stevenson on behalf of Defendants.
03:44 PM	Additional argument provided by Ms. Lusztig on behalf of Plaintiff.
03:48 PM	Court to CARRY ruling.
03:48 PM	Jury returned to courtroom.
03:50 PM	Cross examination of Dr. Stephen Wicker by Mr. Healy.
04:47 PM	Bench conference.
04:47 PM	Bench conference concluded.
04:48 PM	Continuance cross examination of Dr. Stephen Wicker by Mr. Healy.
05:06 PM	Redirect examination of Dr. Stephen Wicker by Mr. Kubehl.
05:14 PM	Completion of testimony of Dr. Stephen Wicker. Witness excused.
05:14 PM	Jury recessed for break.
05:15 PM	Recess.
05:32 PM	Court reconvened.
05:32 PM	Court made rulings from previously CARRIED argument as set forth in the record.
05:42 PM	Jury returned to courtroom.
05:42 PM	Court provided explanation and instruction to Jury re: Defendants' withdrawal of FRAND argument.
05:43 PM	Witness sworn. Direct examination of Dr. Kevin Jeffay by Mr. Becker.
06:13 PM	Courtroom sealed.
06:13 PM	Continuation direct examination of Dr. Kevin Jeffay by Mr. Becker.
06:16 PM	Courtroom unsealed.
06:16 PM	Jury recessed for the day.
06:19 PM	Court adjourned.